

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 31, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALLAH@,
SP/C, 5% Nation of Islam,
Petitioner,

v.

STATE OF WASHINGTON; and
DONALD R. HOLBROOK,
Sup of WSP,

Respondent.

No. 4:22-CV-05003-SAB

**ORDER TO PROCEED *IN*
FORMA PAUPERIS AND
ORDER SUMMARILY
DISMISSING PETITION**

On January 3, 2022, Petitioner, a prisoner at the Washington State Penitentiary filed a *pro se* document titled, "Petition for Writ of HABEAS Corpus, STATE OF WASHINGTON, Has No Brady Act/Jenks Act Material In King Co. Case No.(s) 01-1-10807-3SEA, 01-1-09176-6SEA, 02-1-02047-6SEA, 99-1-06982-7SEA, Franklin Co. No. 12-1-50329-8, No Warrant Of Commitments, No Search Warrant(s), No Probably Cause On File In The Records," without an application to proceed *in forma pauperis* or payment of the \$5.00 filing fee. ECF No. 1. On January 14, 2022, Petitioner sought leave to proceed *in forma pauperis*. ECF No. 3.

**ORDER TO PROCEED *IN FORMA PAUPERIS* AND ORDER
SUMMARILY DISMISSING PETITION *1**

1 Because it appears that Petitioner lacks sufficient funds to prosecute this
2 action, his request to proceed *in forma pauperis* is **GRANTED** and this action may
3 proceed without payment of the filing fee.

4 Petitioner states that he is petitioning this Court pursuant to the Thirteenth
5 Amendment of the United States Constitution, § 1, and a Washington State Statute
6 concerning the Uniform Commercial Code, to compel the named Respondents to
7 present “the authority or cause of the restraint of Allah©.” ECF No. 1 at 1.
8 Petitioner challenges Franklin County Case No. 12-1-50324-8, asserting that
9 “Allah© is being unlawfully restrained because Allah© has renounced the name
10 Edwin R. Coston, and is being subjected to a racially motivated Hate Crime, which
11 provides no lawful basis for Allah’s© detention, Thus, Allah© requests that
12 Allah© be granted immediate release. And compensated with a certified check, or
13 debit card in the amount of \$300,000.00 dollars upon Immediate Release. In the
14 name of Allah©, NFN.” *Id.* at 1–2. This is the fifteenth habeas action Petitioner has
15 filed in this District since 2010.

16 Petitioner’s repeated assertions regarding the name(s) under which he is
17 detained do not warrant federal habeas relief, and his contentions regarding his
18 Franklin County conviction in case No. 12-1-50324-8 have been previously
19 rejected by the Court. *See Allah v. Holbrook*, No. 4:16-CV-05045-SAB. His most
20 recent petitions were denied with prejudice. *See Allah v. Holbrook*, No. 4:21-CV-
21 05120-SAB and *Allah v. Strange, et al.*, No. 4:21-CV-05124-SAB. The Court
22 declines to entertain Petitioner’s arguments further.

23 Therefore, **IT IS ORDERED** the Petition, ECF No. 1, is **DENIED with**
24 **prejudice.**

25 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
26 enter judgment, and forward a copy to Petitioner. The Clerk of Court shall **close**
27 the file and shall file no further documents in this case other than a Notice of
28 Appeal. The Court certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from

**ORDER TO PROCEED IN FORMA PAUPERIS AND ORDER
SUMMARILY DISMISSING PETITION *2**

1 this decision could not be taken in good faith, and there is no basis upon which to
2 issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

3 **DATED** this 31st day of January 2022.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line underneath it.

9 Stanley A. Bastian
10 Chief United States District Judge
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